



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

SCHOOLS AND SCHOOL DISTRICTS—FAILURE TO PROVIDE SCHOOL FACILITIES.—BOARD OF EDUCATION OF FRELINGHUYSEN TP. V. ATWOOD, 65 ATL. (N. J.) 999.—*Held*, that the failure of a board of education to provide for the transportation of children living remote from the school-house, pursuant to section 111 of the school law (P. L. 1902, p. 108), is not a failure "to provide suitable school facilities and accommodations," within the meaning of section 120 of the same act (P. L. p. 111).

TAXATION—PUBLIC LANDS—SALE.—MINT REALTY CO. V. CITY OF PHILADELPHIA ET AL., 66 ATL. 1130 (PA.).—*Held*, where the United States sells real estate, reserving title to itself, until all payments are made, and conditions performed, such real estate is not taxable until the vendee has made all the payments and performed all the conditions. *Mestrezat and Potter, JJ., dissenting.*

United States lands are not subject to taxation or private transfer or ownership, until entry of the purchase which is completed by the patent. *Sands v. Davis*, 40 Mich. 14. Although lands entered in the proper land offices of the United States become subject to taxation from the issuance of the certificate of entry, and the payment of the purchase price without regard to the issuance of the patent. *Smith v. Hollis*, 46 Ark. 17. While lands on Pawnee Indian reservations sold by the United States partly on credit, are taxable from date of the sale. *Edgington v. Cook*, 32 Neb. 551. And lands purchased from the United States and paid for, are liable to be taxed, the same resting entirely upon an agreement between the United States and State, although a patent for the lands has not been given. *Astrom et al. v. Hammond*, Fed. Cas. No. 596.

WATERS AND WATER COURSES—DIVERSION—STATUTORY PROVISION—CONSTITUTIONALITY.—MCCARTER V. HUDSON COUNTY WATER CO., 65 ATL. 489 (N. J.).—*Held*, that the act of May 11, 1905 (P. L. 1905, p. 461), whereby it is made unlawful for any persons or corporation to transport through pipes, conduits, etc., the waters of any fresh-water lake, pond or stream of this state into any other state is constitutional.

WATERS—RIPARIAN OWNERS—USE OF WATER—MONTECITO VALLEY WATER CO. V. CITY OF SANTA BARBARA ET AL., 90 PAC. 935 (CAL.). Where upper riparian owner diverted and distributed water to others for irrigating of otherwise arid lands, *held*, that a riparian proprietor is not entitled to take water from a stream for use on land which was valueless for agricultural purposes.

A riparian owner is not liable for a reasonable use of water passing his land, whether for his own purposes or for sale to others, and the reasonableness of his use is a question of fact, *Gillis v. Chase*, 67 N. H. 161; *Jones v. Aqueduct*, 62 N. H. 488; *Snow v. Parsons*, 28 Vt. 459, that depends upon the circumstances of every case, *Davis v. Getchell*, 52 Me. 602; *Tyler v. Wilkinson*, 4 Mason 401. All waters of a stream may be used for natural purposes that are necessary to man's existence, but only part of the water may be used for purposes not necessary, as irrigation and manufacturing, *Evans v. Merriweather*, 4 Ill. 492; *Stein v. Burden*, 29 Ala. 127; but riparian owners cannot, even in the irrigation of their lands, consume the water to the detriment of riparian proprietors below, *Arnold v. Foot*, 12 Wend. 330; *Cook v. Hull*, 3 Pick. 269. The use of water for irrigation is an artificial use, not a natural use, and the natural use must take precedence, *Gillett v. Johnson*, 30 Conn. 180; *Wadsworth v. Tillotson*, 15 Conn. 366.